IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

Bail Appl..No. 686 of 2007()

CRLMP.305/2007 of DISTRICT COURT, PALAKKAD
(CRIME NO.684/2006 OF THE OTTAPALAM POLICE STATION.
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PETITIONER/SOLE ACCUSED

CHANDRU @ CHANDRAN, AGED 35,
S/O.KUNJIKKANNAN, THEKKEKKATTIL HOUSE,
PALLARMANGALAM, PALAPPURAM, OTTAPALAM TALUK.

BY ADV. SRI.G.SREEKUMAR (CHELUR)
SRI.K.RAVI (PARIYARATH)

RESPONDENTS: STATE/COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE, OTTAPALAM
POLICE STATION IN PALAKKAD DISTRICT,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 686 OF 2007 A

Dated this the 7th day of February, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C., the petitioner, who is the accused in Crime No.684/2006 of Ottapalam Police Station for offences punishable under Sections 341 and 353 I.P.C., seeks anticipatory bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that on 24.12.2006 while the Excise Inspector, Ottapalam and his party were taking three abkari offenders along with distilling apparatus, etc. in the jeep, the accused armed with a stick intervened and stopped the jeep and attempted to rescue the abkari offenders.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner is directed to surrender before

the Investigating Officer on any day between 9.2.2007 and 13.2.2007 for the purpose of custodial interrogation. The petitioner shall, thereafter, be produced on the same day before the Magistrate concerned. The Magistrate shall consider and dispose of the application for regular bail, if any, filed by the petitioner, preferably on the same day on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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